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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/630,151

07/30/2003

Susan M. Bycroft

BD95/01

9481

7590

09/08/2004

Edward P. Dutkiewicz
640 Douglas Avenue
Dunedin, FL 34698

EXAMINER

LIEU, JULIE BICHNGOC

ART UNIT

PAPER NUMBER

2636

DATE MAILED: 09/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/630,151

Applicant(s)

BYCROFT, SUSAN M.

Examiner

Lieu Julie

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 June 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1 is/are allowed.
- 6) ☒ Claim(s) 2-5 and 8 is/are rejected.
- 7) ☒ Claim(s) 3-7 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This office action is in response to applicant's amendment filed June 02, 2004.

Claims 2-5 have been amended.

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 112

3. Claims 3-5 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 3, it is not clear how an "incoming signal from the airbag sensor" may be "user generated".

Claim Rejections - 35 USC § 103

4. Claims 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Stadler (US Patent No. 5,559,491) in view of Aaron (US Patent No. 5,745,030) in view of He et al. (US Patent No. 6,452,488).

Claim 2:

Stadler discloses a system comprising:

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- a. A vehicle having a passenger compartment and a power source (inherent) and at least one keypad being capable of sending a signal (col. 5, third paragraph);
- b. A processor 104 operatively coupled to the power source, to the keypad, and to the emergency sensors, the processor is capable of receiving an incoming signal and sending an outgoing signal (to devices 116-122), the processor receiving a user generated incoming signal from the keypad by a user, the processor receiving emergency generated incoming signal from any of the emergency sensors when an emergency is detected by an emergency sensor when a specific emergency code is entered in the keypad, the processor also being capable of sending an outgoing signal when an incoming signal is received from any sensor 108.

It is noted that the keypad in Stadler is a remote transmitter. Thus, the code is not entered in the keypad; rather, it is pre-entered then inputted into the processor by a single activation of a key. However, the use of keypad on a vehicle that allows a user to enter a code and program the system to function a desirable way is conventional in the art as shown in Aaron. In light of this teaching, it would have been obvious to one skilled in the art to incorporate a keypad such as that taught in Aaron in the system of Stadler because it would allow the user to manipulate the system as desired.

Stadler fails to disclose a strobe light. However, the use of a strobe light as a theft indicating device for alerting the police and other that the vehicle is stolen is known in the art as taught in He et al. (see fig. 1). In light of this, teaching it would have been obvious to one skilled in the art to incorporate this feature in the system of Stadler

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because Stadler suggests the indication of theft attempt by using visual indication device such as emergency lights.

The light in He does not have a non-deployed state. However, one skilled in the art would have readily recognized that the light of in He would be functionally equivalent as one that has a non-deployed and deployed states and would make the light in Stadler and He deployable as desired.

Claim 8:

The vehicle in Stadler has a passenger and a non-passenger compartment. Stadler suggests the use of a plurality of keys/keypads such as reset keys/keypads, which are disguised. It would have been obvious to one skilled in the art that the disguised or hidden keys/keypads would be located in a non-passenger compartment because it is desirable to place them in non-passenger compartment and conceal them from a person in the passenger compartment.

Allowable Subject Matter

5. Claim 1 is allowed.

6. Claims 3-5 would be allowable if rewritten to overcome the rejections) under 35 U.S.C. 1 12, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

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7. Claim 6-7 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lieu Julie whose telephone number is 571-272-2978. The examiner can normally be reached on Mon-Fri 9AM-6PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Hofsass can be reached on 571-272-2981. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Lieu Julie
Primary Examiner
Art Unit 2636

Aug. 26, 04